



PATENT  
P56422

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF APPEALS AND INTERFERENCES**

In re Application of:

**Appeal No.** \_\_\_\_\_

HAN-YOUNG HONG

Serial No.: 09/916,245

Examiner: VO, TUNG T.

Filed: 30 July 2001

Art Unit: 2621

For: CCTV SYSTEM

**Attn: Board of Patent Appeals & Interferences**

**TRANSMITTAL OF APPELLANT'S BRIEF FEE**

**Mail Stop Appeal Brief-Patents**

Commissioner for Patents

P.O.Box 1450

Alexandria, VA 22313-1450

Sir:

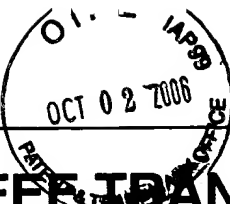
Accompanying this transmittal is a check drawn to the Commissioner of Patents & Trademarks in the amount of \$500.00 (Check #51483) for the filing an **Appeal Brief** in support of a Notice of Appeal filed on 4 August 2006. Should the check become lost, be deficient in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

Respectfully submitted,

Robert E. Bushnell  
Attorney for Applicant  
Reg. No.: 27,774

1522 "K" Street, N.W., Suite 300  
Washington, D.C. 20005  
Area Code: 202-408-9040

Folio: P56422  
Date: 10/2/06  
I.D.: REB/fw



# FEE TRANSMITTAL

Patent fees are subject to annual revision.

## Complete If Known

Application Number	09/916,245
Filing Date	30 July 2001
First Named Inventor	HAN-YOUNG HONG
Examiner Name	VO, TUNG T.
Group/Art Unit	2621
Attorney Docket No.	P56422

TOTAL AMOUNT OF PAYMENT

(\$) 500.00

### METHOD OF PAYMENT (check one)

#### 1. ☒ Payment Enclosed:

(CHECK #51483)

☒ Check ☐ Credit Card ☐ Money Order  
☐ Other

☐ Charge Any Additional Fee Required Under 37 C.F.R. §1.16 and 1.17.

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ The Commissioner is hereby authorized to charge any deficiency and credit any over payments to:

Deposit Account Number: 02-4943

### FEE CALCULATION

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
<b>EXTENSION OF TIME FEES</b>					
1251	120	2251	60	Extension for reply within first month	\$
1252	450	2252	225	Extension for reply within second month	\$
1253	1020	2253	510	Extension for reply within third month	\$
1254	1590	2254	795	Extension for reply within fourth month	\$
1255	2160	2255	1080	Extension for reply within fifth month	\$
<b>APPEAL</b>					
1401	500	2401	250	Notice of Appeal	\$
1402	500	2402	250	Filing a brief in support of an appeal	\$ 500.00
1403	1000	2403	500	Request for oral hearing	\$
<b>CLAIMS</b>					
1201	200	2201	100	Independent claims in excess of 3	\$
1202	50	2202	25	claims in excess of 20	\$
Other Fee (specify) _____					\$
Other Fee (specify) _____					\$
Other Fee (specify) _____					\$

SUBTOTAL: LEFT COLUMN

\$500.00

### FEE CALCULATION

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
<b>MISCELLANEOUS</b>					
1801	\$790	2801	\$395	Request for continued examination (RCE)	\$
1806	\$180			Submission of an IDS	\$
1814	\$130	2814	\$65	Statutory disclaimer	\$
1501	\$1,400	2501	\$685	Utility issue fee (or reissue)	\$
1504	\$300	1504	300	Publication fee for early, voluntary, or normal publication	\$
8021	\$40			Recordation of assignment per property	\$
<b>TRADEMARK</b>					
6001/7001			\$335	Application for registration, per class	\$
6002/7002			\$100	Amendment to Allege Use, per class	\$
6003/7003			\$100	Statement of Use, per class	\$
6004/7004			\$150	Request for six-month extension of time, per class	\$
6205/7205			\$100	\$8 affidavit, per class	\$
6208/7208			\$200	\$15 affidavit, per class	\$
6201/7201			\$400	Application for renewal, per class	\$
6403/7403			\$100	Ex parte appeal, per class	\$
<b>PETITION</b>					
1462			\$400	Petitions to Director (Group I)	\$
1463			\$200	Petitions to Director (Group II)	\$
1464			\$130	Petitions to Director (Group III)	\$
1452	\$500	2452	\$250	Petitions to revive unavoidably abandoned application	\$
1453	\$1500	2453	\$750	Petitions to revive unintentionally abandoned application	\$
<b>PATENT MAINTENANCE</b>					
1551	\$900	2551	\$450	Due at 3.5 years	\$
1552	\$2300	2552	\$1150	Due at 7.5 years	\$
1553	\$3800	2553	\$1900	Due at 11.5 years	\$
Other Fee (specify) _____					\$
Other Fee (specify) _____					\$
Other Fee (specify) _____					\$

SUBTOTAL: RIGHT COLUMN

\$0.00

### SUBMITTED BY

Typed or Printed Name

Robert E. Bushnell, Esq.

### Complete (if applicable)

Reg. Number

27,774

Signature

Date

2 October 2006

Deposit Account User ID

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Attorney Dkt.  
P56422

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Han-Young HONG

Serial No.: 09/916,245

Examiner: T. Vo

Filed: 30 July 2001

Art Unit: 2613

For: CCTV SYSTEM

Appeal No. \_\_\_\_\_

**Mail Stop Appeal Briefs - Patents**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**ATTENTION: Board of Patent Appeals and Interferences**

**APPELLANT'S BRIEF (37 CFR §41.37)**

This brief is in furtherance of the Notice of Appeal filed in this case on .

The accompanying fee required under 37 CFR §41.20(b)(2) for the filing of the Appellant's Brief are dealt with in the accompanying transmittal letter.

Folio: P56422  
Date: 10/2/06  
I.D.: REB/MDP

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OCT 02 2006

**APPEAL BRIEF**

**I. STATEMENT OF REAL PARTY IN INTEREST**

Pursuant to 37 CFR §41.37(c)(1)(i) the real party in interest is:

SamSung Electronics Co., Ltd.  
416 Maetan-dong, Yeongtong-gu,  
Suwon-si, Gyeonggi-do,  
Republic of Korea

**II. RELATED APPEALS AND INTERFERENCES**

Pursuant to 37 CFR §41.37(c)(1)(ii), there are no appeals nor interferences known to the Appellant, the Appellant's legal representative, or the Assignee (real party of interest) which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**III. STATUS OF CLAIMS**

Claims 1-16 are pending. Claims 17-20 were canceled. Claims 9, 11, 14 and 16 are objected to for depending from finally rejected base claims. Claims 1-8, 10, 12, 13 and 15 are finally rejected and appealed herein.

**IV. STATUS OF AMENDMENTS FILED AFTER FINAL REJECTION**

No Amendment after the final rejection has been filed.

## V. SUMMARY OF CLAIMED SUBJECT MATTER

The claimed subject matter of claim 1 is drawn towards a *closed circuit television (CCTV) system comprising:*

*a number of cameras for generating picture signals;* Fig. 1, plural cameras 1; Paragraph [0016] "Referring to Fig. 1, which is a control block diagram of a CCTV system, the CCTV system is comprised of a plurality of cameras 1;"

*a multiplexer allotting identification information to each of the picture signals received from the cameras,* Fig. 1, multiplexer 10; Paragraph [0016] "a plurality of cameras 1 connected through a plurality of parallel channels to a multiplexer 10 for multiplexing the picture signals input in parallel from cameras 1 for output in series"; Paragraph [0018] "Multiplexer 10 allots ID information to the picture signals input in parallel from the plurality of cameras 1 via the plurality of channels and multiplexes them in series;"

*said identification information being represented by a predetermined number of bits so that a number of available identifications is twice or more than the number of the cameras* , Fig. 2; Paragraph [0021] "According to the present invention, ID information is constructed as shown in Fig. 2. As illustrated, the number of bits constituting ID information according to the present invention is set so that the number of available IDs is twice or more than the number of cameras 1. For example, ID information is represented by at least 4 bits in the case of four cameras 1, and it is represented by at least 6 bits in the case of eight cameras 1;"

*said identification information comprising a plurality of proper identification bits and a corresponding plurality of auxiliary bits, characterized in that the proper identification bits identify which camera generated a corresponding picture signal*; Fig. 2; Paragraph [0022] "In the ID information illustrated in Fig. 2, the bits represented with lightface are bits for proper ID information, and the bits represented with boldface are auxiliary bits. The proper ID bits are information specific to each of the cameras to identify them, whereas the auxiliary bits are made by reversing the proper ID bits. However, the auxiliary bits may be constructed identically to the proper ID bits. The ID information is made by combination of the proper ID bits and the auxiliary bits;" and

*a picture signal storage medium for storing the picture signals and allotted identification information output from the multiplexer.* Fig. 1, storage 16; Paragraph [0018] "The ID information and a picture signal corresponding thereto transmitted from multiplexer 10 are stored in the picture signal storage medium 16 by controller 12."

Claim 3 requires the picture signal storage medium comprise *a single video tape in a single video tape recorder*; Claim 3 is original to the specification and provides the supporting disclosure.

Claim 5 calls for *a monitor for displaying picture signals reproduced by said picture signal storage medium*; Fig. 1, monitor 14; Paragraph [0017] "Controller 12 outputs a picture signal stored in picture signal storage medium 16 to monitor 14 according to a selection signal input from selection part 18;" and

*a selection unit for enabling a user to select picture signals corresponding to a particular one of said cameras for display on said monitor by inputting the identification information corresponding to said particular one of said cameras; Fig. 1, selection part 18; Paragraph [0019] "If a user selects, through the selection part 18, a picture signal for reproduction, the controller 12 looks for ID information stored in the picture signal storage medium 16 to locate the picture signal which the user wants reproduced."*

Claim 7, depending from claim 1, requires that *the logical values of said auxiliary bits be opposite to the logical values of said proper identification bits* .; Paragraph [0022] "In the ID information illustrated in Fig. 2, the bits represented with lightface are bits for proper ID information, and the bits represented with boldface are auxiliary bits. The proper ID bits are information specific to each of the cameras to identify them, whereas the auxiliary bits are made by **reversing** the proper ID bits.

Claim 12, depending from claim 1, requires that *the logical values of said auxiliary bits be identical to the logical values of said proper identification bits* , Paragraph [0022] "However, the auxiliary bits may be constructed identically to the proper ID bits."

## **VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

A. Whether claims 1, 3 and 4 are patentable under 35 U.S.C. §102(b) over Kim (US

6,912,351).

B. Whether claims 2, 5 and 6 are patentable under 35 U.S.C. §103(a) over Kim (US 6,912,351).

C. Whether claims 1-8, 12 and 13 are patentable under 35 U.S.C. §103(a) over Tsugane et al. (US 4,961,211) in view of Cooper et al. (US 5,870,139).

D. Whether claims 10 and 15 are patentable under 35 U.S.C. §103(a) over Tsugane et al. (US 4,961,211) in view of Cooper et al. (US 5,870,139) and Applicant's Admitted Prior Art.

## **VII. ARGUMENTS**

**A. Claims 1, 3 and 4 are not anticipated under 35 U.S.C. §102(e) by Kim (US 6,912,351).**

### **Claim 1**

Claim 1 calls for, in part, *a multiplexer allotting identification information to each of the picture signals received from the cameras, said identification information being represented by a predetermined number of bits so that a number of available identifications is twice or more than the number of the cameras, said identification information comprising a plurality of proper identification bits and a corresponding plurality of auxiliary bits, characterized in that the proper*



*identification bits identify which camera generated a corresponding picture signal.*

Here, the Examiner refers us to Kim's multiplexer 130, step S12 and the camera ID code of Fig. 6. However, none of the foregoing, and nowhere in Kim is it disclosed, that the *identification information* (camera ID code) has a *predetermined number of bits so that a number of available identifications is twice or more than the number of the cameras*. Additionally, none of the foregoing, and nowhere in Kim is it disclosed, that the *identification information* (camera ID code) is comprised of a *plurality of proper identification bits and a corresponding plurality of auxiliary bits, characterized in that the proper identification bits identify which camera generated a corresponding picture signal*.

"There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention." *Scripps clinic & Research Foundation v. Genentech, Inc.*, 927 F.2d 1565, 18 USPQ2d 1001, 18 USPQ2d 1896 (Fed. Cir. 1991).

The Examiner has incorrectly noted that Kim's camera ID code has three bits, 001. Looking to Fig. 6, we can see that the camera ID code has four bits, and in Fig. 2 we see that there are n cameras connected to multiplexer 80. Thus, it appears that the camera ID codes can range from 0001 to 1111, thereby limiting the number of cameras to 15.

If Kim satisfied the limitation that the *identification information* (camera ID code) has a *predetermined number of bits so that a number of available identifications is twice or more than the number of the cameras*, there would be disclosure that Kim has a limit of 7 cameras, or that the camera ID code could comprise at least 5 bits and limit the number of cameras to 15, since the binary value 11110 would correspond to the decimal value 30, twice the number of cameras. However, we

find no such disclosure in Kim.

In the final Office action, the Examiner has not challenged the foregoing analysis of Kim. In fact the Examiner changes the analysis from the earlier Office action, which indicated that the camera ID code had three bits, i.e., 001, to now agree with the Applicant's analysis that the camera ID code has four bits, in the "Response to Arguments" on page 3 of the final Office action.

The Examiner has not shown that Kim is limited to 7 cameras, and has not traversed the Applicant's holding that, since the camera ID code has four bits, Kim may use 15 cameras.

Accordingly, there is a 1:1 correspondence between available codes and available cameras, not a 2:1 correspondence in Kim. That is, Kim has 15 available camera ID codes and can thus use 15 cameras. To meet the Applicant's claim, Kim must be limited to 7 cameras, however Kim does not place a limit on the number of cameras to 7 or less.

Accordingly, the rejection is deemed to be in error and should be withdrawn.

Even if Kim had made such a disclosure and placed a limit on the number of cameras to 7 or less, it would fail to meet the limitation that there be *a plurality of proper identification bits and a corresponding plurality of auxiliary bits*. That is, for 15 cameras one would need the 4 bits, according to Kim's disclosure, to correspond to the *plurality of proper identification bits*, and would also need 4 (*a corresponding plurality of*) auxiliary bits (a total of 8 bits) to meet the claim. We find no such disclosure in Kim.

Looking to the rejection, we find that the Examiner has indicated that the camera ID code has been deemed to correspond to the claimed *plurality of proper identification bits*, and that the I-

picture address has been deemed to correspond to the claimed *auxiliary bits*.

As can be seen in Kim's Fig. 6, there are 4 (not 3) bits making up the camera ID codes identifying the cameras 1~n, and there are 8 bits making up the I-picture addresses.

If one were to hold that the I-picture addresses corresponded to the Applicant's claimed *a corresponding plurality of auxiliary bits*, then there would only be 4 bits for the I-picture addresses or there would be 8 bits available for the camera ID codes. Neither option is disclosed in Kim. Thus Kim fails to anticipate the claimed features requiring the identification information to comprise *a plurality of proper identification bits and a corresponding plurality of auxiliary bits*.

In the final Office action, the Examiner has not traversed the Applicant's analysis by providing a showing that there are a same number of camera ID bits as there are auxiliary bits. Instead, the Examiner merely reiterates that Kim has four (4) camera ID bits and 8 "auxiliary" (I-picture address) bits. Clearly 8 does not correspond to 4.

Accordingly, the rejection is deemed to be in error and should be withdrawn.

That is, Kim does not anticipate claim 1 because Kim fails to disclose:

- *a number of available identifications is twice or more than the number of the cameras; and*
- *said identification information comprising a plurality of proper identification bits and a corresponding plurality of auxiliary bits.*

### **Claim 3**

Claim 3 calls for the picture signal storage medium to comprise *a single video tape in a single*

*video tape recorder.*

Here, the Examiner refers us to Kim's disclosure in col. 1 of a "conventional Time Lapse Video Cassette Recorder (Time Lapse VCR) records and reproduces video signals on and from magnetic tapes."

However, Kim also discloses in col. 1, lines 57-67, that there is a problem with such conventional Time Lapse VCRs, wherein the considerable use and wear of the deck and drum of the conventional Time Lapse VCR, cause the drum and deck to be replaced frequently, and the magnetic tape on which the image signals are recorded and reproduced deteriorates quickly due to the friction against the heads of the VCR, thereby affecting the quality of image being displayed by the conventional Time Lapse VCR and the life span of the VCR.

Accordingly, Kim teaches away from using a *single video tape in a single video tape recorder*, and instead uses other recording mediums, such as an optical disk. See col. 2, lines 58-61. This teaching away from the invention is an important indication of non-obviousness as well as a lack of anticipation. *See, e.g. Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve, Inc. Inc.*, 796 F.2d 443, 230 USPQ 416 (Fed. Cir. 1986).

Accordingly, claims 1, 3 and 4 are not anticipated by Kim, and the rejections should be withdrawn. Note that in order for an anticipation rejection to be proper, the anticipating reference must disclose exactly what is claimed. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The

identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Note here that the Examiner has not relied on "inherency," accordingly, each and every element must be expressly described in Kim.

**B. Claims 2, 5 and 6 are not obvious under 35 U.S.C. §103(a) in view of Kim.**

Claims 2, 5 and 6 depend from claim 1 and are deemed to be patentable over Kim for the same reason's as claim 1.

**C. Claims 1-8, 12 and 13 are not obvious under 35 U.S.C. §103(a) in view of Tsugane et al. (US 4,961,211) and Cooper et al. (US 5,870,139).**

**Claim 1**

Claim 1 calls for, in part, *a multiplexer allotting identification information to each of the picture signals received from the cameras, said identification information being represented by a predetermined number of bits so that a number of available identifications is twice or more than the number of the cameras, said identification information comprising a plurality of proper identification bits and a corresponding plurality of auxiliary bits, characterized in that the proper identification bits identify which camera generated a corresponding picture signal.*

With respect to the foregoing feature of claim 1, the Examiner relies on the teachings of Tsugane et al. (*hereafter*: Tsugane) and refers us to Cooper et al. (*hereafter*: Cooper) with respect

to the feature of *a picture signal storage medium for storing the picture signals and allotted identification information output from the multiplexer.*

Tsugane discloses a television conference system that includes, at a transmitting side, a plurality of TV cameras assigned with camera ID codes, and at a receiving side, a plurality of TV monitors assigned with monitor ID codes and a plurality of frame memories, each corresponding to particular ones of the TV monitors, for storing inputs to their corresponding TV monitors.

Tsugane discloses that each TV camera can be selected by a corresponding camera ID number, and that a moving picture signal output from a TV camera is encoded (A/D converter 102) to output a picture signal DI. The encoded moving picture signal DI is then transmitted, together with a monitor ID code IDM of a TV monitor designated to display an output from the selected TV camera, to the receiving side.

The Examiner suggests that the monitor ID signal IDM is the same as the camera ID signal IDC, and refers us to Table 7 in col. 7 and lines 26-29 in Col. 7, which indicate that the camera ID signal IDC = the monitor ID signal IDM.

Accordingly, the *identification bits* (Tsugane's monitor ID signal IDM consisting of a 2-bit binary code) *identify* which monitor is to display a generated picture signal, and identify which camera generated the picture signal.

Tsugane discloses *a multiplexer 104 allotting identification information (IDM) to each of the picture signals (DI) received from the cameras.* The *identification information*, as shown in Fig. 1 comprises a monitor ID signal IDM, which is disclosed as consisting of a 2-bit binary code.

It is required by claim 1 that the *identification information* be represented by *a predetermined*

*number of bits so that a number of available identifications is twice or more than the number of the cameras.*

Note that the monitor ID signal IDM consisting of a 2-bit binary code  $B_0, B_1$  (which is all that is needed since there are only 4 monitors 31-35) and corresponds to the camera ID signal IDC consisting of the same 2-bit binary code  $B_0, B_1$  (which is all that is needed since there are only 4 cameras 5, 6, 7 and 8).

Accordingly, the number of available identifications is exactly the same as the number of cameras, **not** *twice or more than the number of the cameras* as required by claim 1.

Accordingly, the rejection is deemed to be in error and should be withdrawn.

Additionally, it is required by claim 1 that the identification information comprise *a plurality of proper identification bits and a corresponding plurality of auxiliary bits, characterized in that the proper identification bits identify which camera generated a corresponding picture signal.*

We note that the Examiner identifies, in the rejection, **2 bits** that make up the claimed *proper identification bits* and **14 bits** that supposedly make up the claimed *auxiliary bits*. Clearly 2 bits does not correspond, in number (plurality), to 14 bits.

Accordingly, the rejection is deemed to be in error and should be withdrawn.

With respect to the above mentioned 14 bits, the Examiner again (final Office action, page

5) refers to a signal DV which has 14 bits in an apparent attempt to suggest that the IDM bits and the DV bits form the *available identifications*. This attempt is without merit.

The 14 bits of signal DV are digital data corresponding to voice, i.e., digital voice information. That is, Tsugane discloses that controller 9 outputs a voice signal DV which is one of the output signals A<sub>1</sub> from the microphones 1 to 4 and represents the speaker as the third input of the multiplexer 104 through an A/D converter 103.

Note in Fig. 1 that decoder 200 includes an ID signal decoder 202 that decodes all the ID signals transmitted to decoder 200 from encoder 100. As can be seen in the figure, ID signal decoder 202 receives and decodes only the ID signal IDM, which is the 2-bit ID signal identifying which monitor is to display the corresponding video signal.

Note also that the signal DV is separated from the received signal by signal separator 201 and supplied to D/A converter 203 to convert the 14-bit digital signal to an analog signal for output through a speaker 31.

Accordingly, the 14-bit signal DV is not an identification signal and cannot be deemed to be an identification signal. Accordingly, it is erroneous to refer to this 14-bit signal DV as *auxiliary bits* of the *identification information*.

That is, the voice signal DV is voice information, not *identification information* and one of ordinary skill in the art having no knowledge of the Applicant's invention would not have considered the voice signal DV to represent *identification information*.

Accordingly, the rejection is deemed to be in error and should be withdrawn.



Therefore, the rejection is deemed to be in error for failing to establish a *prima facie* basis of obviousness, and should be withdrawn.

*In re Rijckaert*, 28 USPQ2d 1955 (CAFC 1993) states:

"A *prima facie* case of obviousness is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art." *In re Bell*, 991 F.2d 781, 782, 26 USPQ2d 1529, 1531 (Fed. Cir. 1993) (quoting *In re Rhinehart*, 531 F.2d 1048, 1051, 189 USPQ 143, 147 (CCPA 1976). If the examiner fails to establish a *prima facie* case, the rejection is improper and will be overturned. *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988).

Note that Cooper fails to teach the features noted above as lacking in the teachings of Tsugane.

Cooper teaches inserting a camera number code into selected video signals which corresponds to selected video cameras, and sends the selected video having the camera number code to a single video recorder. It is the camera number code that a video playback unit uses to discern which camera 301, 302, 303, or 304 generated a current frame or field of video.

The Examiner offers a basis of obviousness by holding that one of ordinary skill in the art would have incorporated the teachings of Cooper into Tsugane "for recording the identification code of the camera so that a user would be easily to recognize image from the identified camera. Doing so would allow the user to view the image and know which of the cameras are active."

Tsugane does not teach, nor desire, recording video in a single video recorder. Instead, Tsugane utilizes a plurality of frame memories, and each frame memory is connected to a respective one of the TV monitors. Tsugane also teaches that each TV monitor displays an image of a particular

predesignated camera. Tsugane does not teach storing either a camera ID code nor a TV monitor ID code.

Accordingly, since a user/viewer of the monitors in the CCTV system already knows which camera is displaying an image on a particular TV monitor, and since there is no image signal displayed on a TV monitor unless the corresponding camera is active, then there is no need for one of ordinary skill in the art to modify Tsugane to "allow the user to view the image and know which of the cameras are active."

The Examiner refers us to col. 9, lines 25-30 in Tsugane as a reason for suggesting modification. However, that a prior art device could be modified to produce the claimed device does not justify an obviousness rejection **unless the prior art suggested the modification's desirability**. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).

Accordingly, without a showing that there is a problem with Tsugane's device, used as intended by Tsugane, then there is no showing of a need to modify Tsugane's device in view of the teaching of Cooper and there is no showing that one would desire to modify Tsugane to operate in a manner different from that intended by Tsugane's disclosure.

Additionally, without a showing that Tsugane's device would have an improved operation over that which was intended by Tsugane, then there is no showing of a desire to modify Tsugane's device in view of the teaching of Cooper.

The Examiner has failed to show such an improvement. In fact, such a modification would only serve to increase the cost of Tsugane's system without improving the system at all.

Therefore, the rejection of claim 1 is deemed to be in error for the above stated reasons, and should be withdrawn.

**Claim 3**

Claim 3 requires that the CCTV system as set forth in claim 1, utilize a picture signal storage medium comprising *a single video tape in a single video tape recorder*.

As noted above, Tsugane does not teach, nor desire, recording video in a single video recorder. Instead, Tsugane utilizes a plurality of frame memories, and each frame memory is connected to a respective one of the TV monitors.

Even though Cooper discloses the use of a video recorder, Cooper does not teach the use of a video *tape* recorder.

Additionally, one must consider the teaching of all the art available, including Kim (US 6,912,351 of record), and Kim's teaching away from the use of a video *tape* recorder.

This teaching away from the invention is an important indication of non-obviousness. *See, e.g. Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve, Inc. Inc., supra.*

Accordingly, the rejection of claim 3 is deemed to be in error and should be withdrawn.

**Claim 5**

Claim 5 calls for *a monitor for displaying picture signals reproduced by said picture signal*

*storage medium; and a selection unit for enabling a user to select picture signals corresponding to a particular one of said cameras for display on said monitor by inputting the identification information corresponding to said particular one of said cameras.*

Tsugane discloses the use of one monitor per camera, and in particular the use of 4 cameras and 4 monitors, each monitor displaying an image of a corresponding one of the cameras, no monitor having the ability to display images from more than one camera.

Although Cooper may teach using a single monitor and 4 cameras, Cooper also teaches a need to record identification codes of each camera so that a user/viewer of the monitor can playback a recorded image generated by a particular camera. In so doing, Cooper teaches the need for a number of components to be able to perform this function, and these components are not available in Tsugane.

Contrary to the Examiner's continued use of the term "a monitor" in the final Office action, Tsugane does not teach a desire or need to use a single monitor. In fact, use of a single monitor in Tsugane would defeat the intended use of Tsugane invention, that use being in a video conferencing system. In col. 1, lines 5-15, Tsugane identifies problems with using a single monitor and therefore teaches away from using a single monitor in such a conferencing system.

This teaching away from the invention is an important indication of non-obviousness. *See, e.g. Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve, Inc. Inc., supra.*

Also, using a single monitor in Tsugane would destroy the intent of Tsugane's conferencing system. A modification that would destroy the intended purpose of Tsugane's device such that it would no longer be able to function as intended, is a destruction of Tsugane's system, and is an

important indication of non-obviousness. See *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).

Accordingly, the rejection of claim 5 is deemed to be in error and should be withdrawn.

Additionally, in such a conferencing system as disclosed by Tsugane, there is no need a *selection unit for enabling a user to select picture signals corresponding to a particular one of said cameras for display on said monitor*, because all the picture signals are displayed on respective monitors.

Tsugane teaches the use of several manual switches SW1-SW4 for selecting the TV cameras 5, 6, 7, and 8, respectively, however, there are respective and corresponding monitors 32-35 which display particular video images, wherein each monitor displays an image that correspond to only one of the monitors. That is, for example, monitor 32 displays only the image of camera 5, monitor 33 displays only the image of camera 33, etc.

Accordingly, the limitation as a whole must be considered, wherein there is only one monitor in the claim and the camera selection allows for the video from each camera to be displayed on the one monitor. This is clearly different from the teachings of Tsugane.

Accordingly, the rejection of claim 5 is deemed to be in error and should be withdrawn.

**Claims 7 and 12**

Claim 7, depending from claim 1, requires that *the logical values of said auxiliary bits be opposite to the logical values of said proper identification bits.*

Claim 12, depending from claim 1, requires that *the logical values of said auxiliary bits be identical to the logical values of said proper identification bits.*

As disclosed in paragraph [0022] of the specification, the ID information illustrated in Fig. 2, shows that the bits represented with lightface are bits for proper ID information, and the bits represented with boldface are auxiliary bits. The proper ID bits are information specific to each of the cameras to identify them, whereas the auxiliary bits are opposite to (made by reversing) the proper ID bits. However, the auxiliary bits may be constructed identically to the proper ID bits. The ID information is made by combination of the proper ID bits and the auxiliary bits.

The Examiner's rejection states, without merit, that Tsugane teaches the logical values of said auxiliary bits (DV (J=14)) are opposite (identical) to the logical values of said proper identification bits (IDM=2 bits).

It is unclear how the logical values of a code having only 2 bits can be reversed (opposite logical value), or identical, to form a code having 14 bits. The Examiner has failed to identify where Tsugane teaches the foregoing feature. Note, *Ex parte Levy*, 17 USPQ2d 1461, 1462 (1990) states:

"it is incumbent upon the examiner to identify wherein each and every facet of the claimed invention is disclosed in the applied reference."

On page 7 of the final Office action, the Examiner addresses the foregoing argument but fails to show how the *logical values* of 2 bits can be reversed to form opposite *logical values* of 14 bits, or how *logical values* of 2 bits are identical to the *logical values* of 14 bits. Instead, the Examiner


has merely reiterated the basis of rejection in the previous Office action.

Accordingly, the rejections of claims 7 and 12 are deemed to be in error and should be withdrawn.

**D. Claims 10 and 15 are not obvious under 35 U.S.C. §103(a) in view of Tsugane et al. (US 4,961,211), Cooper et al. (US 5,870,139) and Applicant's Admitted Prior Art.**

Claims 10 and 15 depend from claims 7 and 12, respectively, and are deemed to be patentable over Kim for the same reason's as claims 7 and 12.

Respectfully submitted,

  
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Robert E. Bushnell  
Attorney for Applicant  
Reg. No.: 27,774

1522 K Street, N.W.  
Washington, D.C. 20005  
(202) 408-9040

Folio: P56422  
Date: 10/2/06  
I.D.: REB/MDP

## VIII. CLAIMS APPENDIX

### CLAIMS UNDER APPEAL

1. (original) A closed circuit television (CCTV) system comprising:
- a number of cameras for generating picture signals;
- a multiplexer allotting identification information to each of the picture signals received from the cameras, said identification information being represented by a predetermined number of bits so that a number of available identifications is twice or more than the number of the cameras, said identification information comprising a plurality of proper identification bits and a corresponding plurality of auxiliary bits, characterized in that the proper identification bits identify which camera generated a corresponding picture signal; and
- a picture signal storage medium for storing the picture signals and allotted identification information output from the multiplexer.
2. (original) The CCTV system as set forth in claim 1, wherein said multiplexer is a parallel to serial multiplexer.
3. (original) The CCTV system as set forth in claim 1, wherein the picture signal storage medium comprises a single video tape in a single video tape recorder.
4. (original) The CCTV system as set forth in claim 1, wherein the picture signal storage



2 medium comprises a single digital storage medium.

-1 5. (original) The CCTV system as set forth in claim 1, further comprising:

2 a monitor for displaying picture signals reproduced by said picture signal storage medium;

3 and

4 a selection unit for enabling a user to select picture signals corresponding to a particular one  
5 of said cameras for display on said monitor by inputting the identification information corresponding  
6 to said particular one of said cameras.

1 6. (original) The CCTV system as set forth in claim 5, further comprising:

2 a controller for storing said picture signals and said identification information in said picture  
3 signal storage medium, said controller being responsive to a selection signal generated by said  
4 selection unit for selecting the picture signals corresponding to said particular one of said cameras  
5 and stored in said picture signal storage medium and outputting the selected picture signals for  
6 display on said monitor.

1 7. (original) The CCTV system as set forth in claim 1, wherein the logical values of said  
2 auxiliary bits are opposite to the logical values of said proper identification bits.

1 8. (original) The CCTV system as set forth in claim 7, wherein the number of cameras is four  
2 and the identification information comprises two said proper identification bits and two said auxiliary

bits.

10. (original) The CCTV system as set forth in claim 7, wherein the number of cameras is eight and the identification information comprises three said proper identification bits and three said auxiliary bits.

12. (original) The CCTV system as set forth in claim 1, wherein the logical values of said auxiliary bits are identical to the logical values of said proper identification bits.

13. (original) The CCTV system as set forth in claim 12, wherein the number of cameras is four and the identification information comprises two said proper identification bits and two said auxiliary bits.

15. (original) The CCTV system as set forth in claim 12, wherein the number of cameras is eight and the identification information comprises three said proper identification bits and three said auxiliary bits.

**IX. EVIDENCE APPENDIX**

None

**X. RELATED PROCEEDINGS APPENDIX**

None